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UNITED STATES COURT OF APPEALS

Marcia M. Waldron  
Clerk

FOR THE THIRD CIRCUIT  
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December 1, 2006

Mr. Robert V. Barth Jr., Clerk  
United States District Court for the Western District of PA  
17 South Park Row  
Room B-160  
Erie, PA 16501

RE: Docket No. 05-4896  
Zemenco Inc vs. Dev Diversified  
D.C. No. 03-cv-00175E

Dear Mr. Barth:

Enclosed is a certified copy of the judgment together with copy of the opinion in the above-entitled case. The certified judgment is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

Kindly acknowledge receipt for same on the enclosed copy of this letter.

Counsel are advised of the issuance of the mandate by copy of this letter. A copy of the certified judgment is also enclosed showing costs taxed, if any.

Very truly yours,  
MARCIA M. WALDRON  
Clerk

By: /s/ Anthony Infante  
Anthony W. Infante  
Case Manager

Enclosure

cc:

Joseph A. Katarincic, Esq.  
Jerri R. Kent, Esq.  
W. Patrick Delaney, Esq.  
Lisa S. Presta, Esq.